

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings of claims in the application:

Listing of Claims:

Claims 1-41 (canceled)

1 Claim 42 (previously presented): A nucleic acid-lipid particle for introducing a
2 nucleic acid into a cell, said particle comprising a cationic lipid, a conjugated lipid that inhibits
3 aggregation of particles, and a nucleic acid, wherein said nucleic acid is encapsulated in the lipid
4 of said particle and is resistant in aqueous solution to degradation with a nuclease.

Claim 43 (canceled)

1 Claim 44 (previously presented): The nucleic acid-lipid particle of claim 42,
2 wherein said particle is substantially non-toxic.

1 Claim 45 (previously presented): The nucleic acid-lipid particle of claim 42,
2 wherein said particle has a median diameter of less than about 150 nm.

1 Claim 46 (previously presented): The nucleic acid-lipid particle of claim 42,
2 wherein said cationic lipid is a member selected from the group consisting of N,N-dioleoyl-N,N-
3 dimethylammonium chloride (DODAC), N,N-distearyl-N,N-dimethylammonium bromide
4 (DDAB), N-(1-(2,3-dioleoyloxy)propyl)-N,N,N-trimethylammonium chloride (DOTAP), N-(1-
5 (2,3-dioleoyloxy)propyl)-N,N,N-trimethylammonium chloride (DOTMA), and N,N-dimethyl-2,3-
6 dioleoyloxy)propylamine (DODMA), and a mixture of two or more of the above.

1 Claim 47 (previously presented): The nucleic acid-lipid particle of claim 42,
2 wherein said particle further comprises an additional non-cationic lipid.

1 Claim 48 (previously presented): The nucleic acid-lipid particle of claim 47,
2 wherein said non-cationic lipid is selected from the group consisting of DOPE, POPC, and EPC.

1 Claim 49 (previously presented): The nucleic acid-lipid particle of claim 42,
2 wherein said conjugated lipid is a PEG-lipid.

1 Claim 50 (previously presented): The nucleic acid-lipid particle of claim 49,
2 wherein said PEG-lipid comprises from 1% to about 15% of the lipid present in said particle.

1 Claim 51 (previously presented): The nucleic acid-lipid particle of claim 49,
2 wherein said PEG-lipid is PEG-ceramide.

1 Claim 52 (previously presented): The nucleic acid-lipid particle of claim 51,
2 wherein the ceramide of said PEG-ceramide comprises a fatty acid group having 8 carbon atoms.

1 Claim 53 (previously presented): The nucleic acid-lipid particle of claim 51,
2 wherein the ceramide of said PEG-ceramide comprises a fatty acid group having 14 carbon
3 atoms.

1 Claim 54 (previously presented): The nucleic acid-lipid particle of claim 51,
2 wherein the ceramide of said PEG-ceramide comprises a fatty acid group having 20 carbon
3 atoms.

1 Claim 55 (previously presented): The nucleic acid-lipid particle of claim 49,
2 wherein said PEG-lipid is PEG-phosphatidylethanolamine.

1 Claim 56 (previously presented): The nucleic acid-lipid particle of claim 42,
2 wherein the nucleic acid:lipid ratio within said particle is at least 5 mg nucleic acid per mmol
3 lipid.

1 Claim 57 (previously presented): The nucleic acid-lipid particle of claim 42,
2 wherein the nucleic acid:lipid ratio within said particle is at least 20 mg nucleic acid per mmol
3 lipid.

1 Claim 58 (previously presented): The nucleic acid-lipid particle of claim 42,
2 wherein the nucleic acid:lipid ratio within said particle is at least 40 mg nucleic acid per mmol
3 lipid.

1 Claim 59 (previously presented): The nucleic acid-lipid particle of claim 42,
2 wherein said nucleic acid is DNA.

1 Claim 60 (previously presented): The nucleic acid-lipid particle of claim 42,
2 wherein said nucleic acid is a plasmid.

1 Claim 61 (previously presented): The nucleic acid-lipid particle of claim 42,
2 wherein said nucleic acid is an antisense oligonucleotide.

1 Claim 62 (previously presented): The nucleic acid-lipid particle of claim 42,
2 wherein said nucleic acid is a ribozyme.

1 Claim 63 (previously presented): The nucleic acid-lipid particle of claim 42,
2 wherein said cationic lipid comprises 50% or less of the lipid present in said particle.

1 Claim 64 (previously presented): The nucleic acid-lipid particle of claim 42,
2 wherein said cationic lipid comprises from an amount greater than 0% to about 20% of the lipid
3 present in said particle.

1 Claim 65 (previously presented): The nucleic acid-lipid particle of claim 42,
2 wherein the nucleic acid component of said particle is substantially not degraded after exposure
3 of said particle to a nuclease at 37°C for 20 minutes.

1 Claim 66 (previously presented): The nucleic acid-lipid particle of claim 42,
2 wherein the nucleic acid component of said particle is substantially not degraded after incubation
3 of said particle in serum at 37°C for 30 minutes.

1 Claim 67 (previously presented): The nucleic acid-lipid particle of claim 42,
2 wherein more than 10% of a plurality of such particles are present in plasma one hour after
3 intravenous administration.

1 Claim 68 (previously presented): The nucleic acid-lipid particle of claim 42,
2 wherein transformation of cells by said particle at a site distal to the site of administration is
3 detectable for at least four days after intravenous injection.

1 Claim 69 (previously presented): A pharmaceutical composition comprising a
2 nucleic acid-lipid particle and a pharmaceutically acceptable carrier, said nucleic acid-lipid
3 particle comprising a cationic lipid, a conjugated lipid that inhibits aggregation of particles, and a
4 nucleic acid, wherein said nucleic acid is encapsulated in the lipid of said particle and is resistant
5 in aqueous solution to degradation with a nuclease.

1 Claim 70 (previously presented): The pharmaceutical composition of claim 69,
2 wherein said cationic lipid is selected from the group consisting of N,N-dioleoyl-N,N-
3 dimethylammonium chloride (DODAC), N,N-distearyl-N,N-dimethylammonium bromide
4 (DDAB), N-(1-(2,3-dioleoyloxy)propyl)-N,N,N-trimethylammonium chloride (DOTAP), N-(1-
5 (2,3-dioleoyloxy)propyl)-N,N,N-trimethylammonium chloride (DOTMA), and N,N-dimethyl-2,3-
6 dioleoyloxy)propylamine (DODMA), and a mixture of two or more of the above.

1 Claim 71 (previously presented): The pharmaceutical composition of claim 69,
2 wherein said particle further comprises an additional non-cationic lipid.

1 Claim 72 (previously presented): The pharmaceutical composition of claim 71,
2 wherein said additional non-cationic lipid is selected from the group consisting of DOPE, POPC,
3 and EPC.

1 Claim 73 (previously presented): The pharmaceutical composition of claim 69,
2 wherein said conjugated lipid is a PEG-lipid.

1 Claim 74 (previously presented): The pharmaceutical composition of claim 73,
2 wherein said PEG-lipid is PEG-ceramide.

1 Claim 75 (previously presented): The pharmaceutical composition of claim 69,
2 wherein said nucleic acid is selected from the group consisting of a plasmid, an antisense
3 oligonucleotide, and a ribozyme.